

Notice of Allowability

Application No.

09/376,173

Examiner

Li B. Zhen

Applicant(s)

TAYLOR ET AL.

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/30/2005.
2. ☒ The allowed claim(s) is/are 1,4-10,13-17 and 28-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 10/19/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. Claims 1, 4-10, 13-17 and 28-32 are pending in the current application.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert M. Asher on October 19, 2005.

The application has been amended as follows:

- I. In the specification, line 9, replace "Application No. XX/XXX,XXX" with -- U.S. Patent No. 6,832,379 --; and
- II. In the specification, line 12, replace "Application No. XX/XXX,XXX" with -- U.S. Patent No. 6,671,705 --.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The prior art of record does not expressly teach or render obvious the invention as recited in independent claims 1,6,10 and 15.

The combination of Saulpaugh and Russell teaches a message passing service [col. 11, lines 7 – 40 of Saulpaugh] providing asynchronous [col. 12, lines 49 – 65 of

Art Unit: 2194

Saulpaugh] and synchronous communication [col. 11, lines 7 – 40 of Saulpaugh] and session control logic [col. 9, lines 57 – 65 of Russell]. However, Saulpaugh and Russell does not teaches session control logic operably coupled to open a message passing session over a conduit to allow communications with any of a plurality of target applications that have an open message passing session on the conduit and providing synchronous and asynchronous message passing over the message passing session. Further, the prior art of record does not teach synchronous message sending logic to block the client application upon sending a synchronous message to one of the at least one target applications over the message passing service session and unblock the client application upon receiving a confirmation from the one of the at least one target applications over the message passing service session as recited in independent claims 1 and 10. The prior art of record does not teach sending logic programmed to send an asynchronous message to a target application and notify the client application via the asynchronous signaling logic upon receiving a confirmation from the target application over the message passing service session as recited in independent claims 6 and 15.

In addition, the prior art of record does not provide a basis of evidence for asserting a motivation that one of ordinary skill level in the art at the time the invention was made would have integrated or modified the message passing service with session control logic operably coupled to open a message passing session over a conduit to allow communications with any of a plurality of target applications that have an open message passing session on the conduit and providing synchronous and asynchronous

Art Unit: 2194

message passing over the message passing session as recited in the context of the independent claims.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2194

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Li B. Zhen
W. Thomson
SPE 2194
TC 2102